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DATE: December 21, 2006

PTO IDENTIFIER: Application Number 10/723,622-Conf. #1078
 Patent Number

Inventor: Masanori HAYASHI et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: LAHIVE & COCKFIELD, LLP

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Attorney Dkt. #: SIW-072

PAGES (Including Cover Sheet): 4

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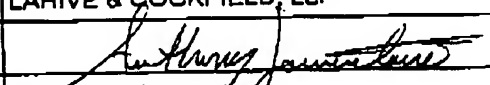
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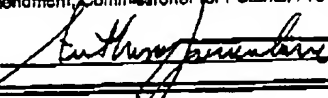
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| | | |
|--|------------------------|------------------------|
| TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small> | Application Number | 10/723,622-Conf. #1078 |
| | Filing Date | November 25, 2003 |
| | First Named Inventor | Masanori HAYASHI |
| | Art Unit | 1745 |
| | Examiner Name | J. Crepeau |
| Total Number of Pages in This Submission | Attorney Docket Number | SIW-072 |

| ENCLOSURES (Check all that apply) | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction Requirement |
| Remarks | | |

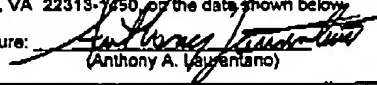
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| Firm Name | LAHIVE & COCKFIELD, LLP | | |
| Signature |  | | |
| Printed name | Anthony A. Laurentano | | |
| Date | December 21, 2006 | Reg. No. | 38,220 |

| | |
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| I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300 at MS Amendment, Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1450, on the date shown below. | |
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Dated: December 21, 2006 Signature: 

(Anthony A. Laurentano)

Docket No.: SIW-072
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masanori Hayashi *et al.*

Application No.: 10/723,622

Confirmation No.: 1078

Filed: November 25, 2003

Art Unit: 1745

For: START-UP METHOD FOR FUEL CELL

Examiner: J. Crepeau

RESPONSE TO RESTRICTION REQUIREMENTMS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed November 21, 2006 (Paper No. 20061117).

The Examiner deems claim 1 is generic and has required restriction between the following patentably distinct species in the above-identified application:

- (i) First embodiment of the invention (Fig. 2)
- (ii) Second embodiment of the invention (Fig. 6)
- (iii) Third embodiment of the invention (Fig. 8)
- (iv) Fourth embodiment of the invention (Fig. 11)
- (v) Fifth embodiment of the invention (Fig. 14)

Accordingly, Applicants hereby elect Species (i) first embodiment of the invention (Fig. 2) corresponding to claims 1-5 for continued examination.

Dated: December 21, 2006

Respectfully submitted,

By 

Anthony A. Laurentano

Registration No.: 38,220

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PTO/SB/97 (06-04)

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Application No. (If known): 10/723,622

Attorney Docket No.: SNV-072

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